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Institution:	Inter-American Commission on Human Rights
File Number(s):	Case No. 1752
Session:	Thirty-Fourth Session (15 – 25 October 1974)
Title/Style of Cause:	Unknown v. United States
Doc. Type:	Decision
Decided by:	President: Dr. Andrés Aguilar, President (Venezuela) Vice-President: Dr. Carlos A. Dunshee de Abranches (Brazil) Members: Professor Manuel Bianchi (Chile); Dr. Gabino Fraga (Mexico); Dr. Justino Jimenez de Aréchaga (Uruguay); Mr. Robert F. Woodward (United States); Dr. Genaro R. Carrio (Argentina)
Dated:	15 – 25 October 1974
Citation:	Unknown v. U. S., Case 1752, Inter-Am. C.H.R., OEA/Ser.L/V/II.34, doc. 31 rev. 1 (1974)
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[1] Case 1752, September 7, 1972, reporting the violation of the following rights set forth in the American Declaration of the Duties and Rights of Man: the right to a family and to the protection thereof, the right to inviolability of the home; the right of association; and the right to protection against arbitrary arrest.

[2] At its thirty-fourth session (October 1973), the Commission approved a resolution on this case which was communicated to the Government of the United States of America on December 19, 1973 and to the complainants on January 10, 1973.

[3] The Government of the United States, in a note dated June 17, 1974, replied to the request for information by the CIDH, stating the following:

a. That the request for information of the Commission did not clearly specify the kind or type of information the CIDH wished to obtain concerning situations such as that described in the report, since the human rights embodied in the American Declaration of the Rights and Duties of Man, allegedly violated in connection with events that occurred in June, 1967, cited by the complainants, were basically the same rights that, in accordance with the Constitution of the United States of America, were under the protection of the competent courts of the country.

b. That, furthermore, the Supreme Court had, within its competence, jurisdiction over all issues involving discrimination of any kind, in particular those relating to the right to equality before the law, as shown in the Jurisprudence of many cases and,

c. That, consequently, if the CIDH wished to receive further information about the specific report it considered appropriate to transmit to the Government of the United States, that Government would be willing to supply all available or pertinent information.

[4] This information was supplemented by the Department of State in a note dated October 15, 1974, which was transmitted by the Ambassador of the United States to the OAS. That note was accompanied

by a Memorandum in which it was stated that the complainants had not even tried to exhaust the internal remedies established in the laws of the United States for the protection of the allegedly violated rights set forth in the complaint, yet they had alleged that the courts of the country had acted arbitrarily or violated the right to due process.

[5] The Commission continued its examination of Case 1752 at its thirty-fourth session (October 1974), together with the information provided by the Government of the United States, and decided: to transmit to the complainants the information provided by the United States Government and to postpone examination of the merits of the case unless, within a reasonable period of time, the complainants submitted their comments on this information.

[6] In implementation of this decision, the Commission wrote to the complainants on November 14, 1974. On the same date, it informed the Government of the United States of the relevant decision.